



2/5/04

## FINAL PASSAGE

**HB 4693 (Palmer)**

**HB 4724 (Emmons)**

### ED FLEX BILLS

Support: Michigan Association of School Boards, Tom Watkins -- Allowing districts flexibility in return for improved achievement is a reasonable approach.

Oppose: Michigan Federation of Teachers, Michigan Education Association -- The bills represent an unconstitutional delegation of legislative authority by shifting too much authority to the Executive Branch through the Superintendent of Public Instruction. The legislature has already given the Superintendent the ability to grant waivers from administrative rules. If a change in law is necessary, it ought to be accomplished through the legislative process.

HB 4693 would allow school districts to apply for an Educational Flexibility and Empowerment (Ed Flex) contract to have the superintendent of public instruction waive state statutes and rules as part of performance based contract. The contract would have to have measurable performance goals. Districts could also apply for waivers from federal requirements in compliance with federal law that allows waivers to be issued by the state. Waivers could not be granted for health and safety requirements.

- Committee 1 (S-1) was adopted [no RC]. The substitute adopted in committee also exempt teacher certification requirements from those that can be waived. It also requires that before a waiver request is submitted, a local district must have an ed-flex planning committee that includes representatives of each collective bargaining unit. Additionally, the ed-flex application must include a fiscal impact statement.
- Kuipers 1A was adopted [no RC]. This would protect collective bargaining agreements from Ed Flex waivers.
- HB 4693 was moved to 3<sup>rd</sup> Reading.
- HB 4693 passed [RC 25: 23 yes, 13 no]. Immediate Effect was defeated [no RC].

HB 4724 allows provisions of the School Aid Act and accompanying administrative rules to be waived through an educational flexibility and empowerment contract.

- HB 4724 was moved to 3<sup>rd</sup> Reading. No amendments.
- HB 4724 passed [RC 26: 21 yes, 15 no]. Immediate Effect was defeated [no RC].